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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter LÖSBROCK et al.

Appl. No. : 10/814,635

Confirmation No.: 7567

Filed: April 1, 2004

For: APPARATUS AT A SPINNING
PREPARATION MACHINE FOR
DETECTING WASTE SEPARATED
OUT FROM A FIBRE MATERIAL

Art Unit: 3653

Examiner: Joseph C. Rodriguez

Atty. Docket No.: 32368-202378

Customer No.

26694

PATENT TRADEMARK OFFICE

Second Request for Refund

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement for the above-mentioned application was filed on March 21, 2006. Although the Information Disclosure Statement was filed after the mailing date of a first Office Action, the Information Disclosure Statement included a statement under 1.97(e). Therefore, the Information Disclosure Statement fee of \$180.00 was charged to our deposit account in error, since the information contained in the Information Disclosure Statement was first cited in the French Search Report not more than three months prior to the filing of the Information Disclosure Statement. A copy of the Information Disclosure Statement is enclosed, along with our deposit account statement evidencing the charge to our account by the Patent Office. Please refund \$180.00 to our deposit account no. 22-0261 and notify the undersigned accordingly.



Applicants: Peter LÖSBROCK et al.
Appl. No.: 10/814,635

If the amount is not refunded, the Office is respectfully requested to provide an explanation for the charges.

Date: 8/21/07

Respectfully submitted,

Steve Schwarz

Steven J. Schwarz
Registration No. 47,070
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

DC2DOCS\1832833

Fields, Regina G.



From: Roberts, Marc C.
Sent: Monday, August 06, 2007 2:31 PM
To: Fields, Regina G.
Subject: RE: IDS fee charged in error to Deposit Account

It should be in the file because a request for refund was filed 4/19/06, but we never received it. However, line 3 below shows the charge.

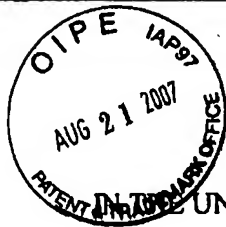
Deposit Account Statement - Microsoft Internet Explorer provided by Venable LLP							
File Edit View Favorites Tools Help							
Back Search Favorites							
https://ramps.uspto.gov/eram/Controller;jsessionid=0000lwRFzSK3AWePAycLh2Cxqj:11q10965f Go							
03/29	131	09830290	38787-171294	2251	\$60.00	\$87,234.06	
03/29	152	11386705	32011-229434	8021	\$40.00	\$87,194.06	
03/29	1	10814635	32368-202378	1806	\$180.00	\$87,014.06	
03/29	32	11261762	41567-223315	2051	-\$65.00	\$87,079.06	
03/29	1825	78848814	37114-229606	7001	\$325.00	\$86,754.06	
03/29	246	29252105	32011-227467	8021	\$40.00	\$86,714.06	
03/29	2075	78848944	37114-229607	7001	\$325.00	\$86,389.06	
03/29	2163	78848984	41345-229818	7001	\$325.00	\$86,064.06	
03/30	1	60776236	32405-225858	8021	\$40.00	\$86,024.06	
03/30	50	60773684	32405-228898	8021	\$40.00	\$85,984.06	
03/30	71	60776237	32405-225859	8021	\$40.00	\$85,944.06	
03/30	231	76611332	26085-207717	7004	\$150.00	\$85,794.06	
03/30	257	76611331	26085-207715	7004	\$150.00	\$85,644.06	
03/30	288	76611327	26085-207712	7004	\$150.00	\$85,494.06	
03/30	137	29256136	32405-228104	8021	\$40.00	\$85,454.06	
03/30	142	29256135	32405-228106	8021	\$40.00	\$85,414.06	
03/30	717	78849365	37114-229832	7001	\$325.00	\$85,089.06	
03/30	797	78849404	37114-229833	7001	\$325.00	\$84,764.06	
03/30	845	78849431	00831-229810	7001	\$325.00	\$84,439.06	
03/30	861	78849439	00831-229813	7001	\$325.00	\$84,114.06	
03/30	868	78849445	00831-229812	7001	\$325.00	\$83,789.06	
03/30	883	78849457	00831-229811	7001	\$325.00	\$83,464.06	
Done Local Intran							

-----Original Message-----

From: Fields, Regina G.
Sent: Monday, August 06, 2007 1:18 PM
To: Roberts, Marc C.
Subject: IDS fee charged in error to Deposit Account

Hi Marc,

Could you give me a print out of a deposit account charge for 32368-202378 for a \$180.00 IDS fee. The IDS was originally filed on March 21, 2006.



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter LÖSBROCK *et al.*

Appln. No.: 10/814,635

Confirmation No.: 7567

Filed: April 1, 2004

For: APPARATUS AT A SPINNING
PREPARATION MACHINE FOR
DETECTING WASTE SEPARATED
OUT FROM FIBRE MATERIAL

Art Unit: 3653

Examiner: Joseph C. Rodriguez

Atty. Docket No: 32368-202378

Customer No:

26694

PATENT TRADEMARK OFFICE

Second Information Disclosure Statement

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Information Disclosure Statement submitted under 37 C.F.R. § 1.97 within the time specified under 37 C.F.R. § 1.97(c).

In order to comply with the duty of disclosure pursuant to 37 C.F.R. § 1.56, submitted herewith is a Form PTO/SB/08A listing three of the five documents cited in the attached French Patent Office Search Report for French Application No. 04 03475. The two remaining references, EP 0 399 315 and U.S. Patent No. 5,181,295, were previously made of record in an Information Disclosure Statement filed on April 29, 2004, and by the Examiner in the Office Action dated September 28, 2005, respectively. The relevance of each document is indicated in the Search Report. A copy of EP 0 226 430 is included herewith. All of the other references are U.S. patents or U.S. publications, and copies are not required.

Applicants: Peter LÖSBROCK *et al.*
Application No.: 10/814,635

The instant Information Disclosure Statement is being filed after the mailing date of the first Office Action. Accordingly, pursuant to 37 C.F.R. § 1.97(c)(1), a statement under 37 CFR 1.97(e) is required.

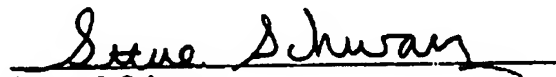
Statement

Pursuant to 37 C.F.R. § 1.97(e), on information and belief, each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

In view of the above, as all requirements of 37 C.F.R. § 1.97 and all official guidelines pertaining to Information Disclosure Statements have been complied with, it is respectfully requested that the Examiner consider the documents and make them of record.

Respectfully submitted,

Date: March 21, 2006


Steven J. Schwarz
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Washington, DC 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

SJS/SJB
#734526



PTO/SB/06a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete If Known			
		Application Number	10/814,635		
		Filing Date	April 1, 2004		
		First Named Inventor	Peter LOSBROCK <i>et al.</i>		
		Art Unit	3653		
		Examiner Name	Joseph C. Rodriguez		
Sheet	1	of	1	Attorney Docket Number	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-5,819,373 A	10-13-1998	SCHLICHTER <i>et al.</i>	
	AB	US-2002/078532 A1	06-27-2002	HOSEL <i>et al.</i>	
	AC	US-			
	AD	US-			
	AE	US-			
	AF	US-			
	AG	US-			
	AH	US-			
	AI	US-			
	AJ	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ -Number ⁵ -Kind Code ⁶ (if known)	MM-DD-YYYY			
	BA	EP 0 226 430	06-24-1987	UNISEARCH LIMITED		
	BB					
	BC					
	BD					
	BE					
	BF					
	BG					
	BH					
	BI					
	BJ					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA		
	CB		
	CC		
	CD		
	CE		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
-----------------------	--------------------

#734557



PTO/SB/17 (01-06)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/814,635 - Conf.# 7567
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	April 1, 2004
		First Named Inventor	Peter Lösbrock
		Examiner Name	Joseph C. Rodriguez
TOTAL AMOUNT OF PAYMENT		Art Unit	3653
(\$)		Attorney Docket No.	32368-202378
0.00			

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
- 20 =	x	=		<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20.					
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
- 3 =	x	=			
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY			
Signature	<u>Steven J. Schwarz</u>	Registration No. (Attorney/Agent)	47,070
Name (Print/Type)	Steven J. Schwarz	Telephone	(202) 344-4000
		Date	8/21/07

#833305



DEP-1 Ref

PTO/SB/21 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/814,635 - Conf.# 7567
	Filing Date	April 1, 2004
	First Named Inventor	Peter LOSBROCK et al.
	Art Unit	3653
	Examiner Name	Joseph C. RODRIGUEZ
Total Number of Pages in This Submission	Attorney Docket Number	32368-202378

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosures (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Second Request for Refund	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	VENABLE LLP	
Signature		
Printed name	Steven J. Schwarz	
Date	8/21/07	Reg. No. 47,070

United States Patent and Trademark Office
- Sales Receipt -

~~03/29/2006 PALLN 00000001 220261 10814635~~

~~01 FC:1806 180.00 DA~~

Adjustment date: 09/07/2007 SFELEKE1
03/29/2006 PALLN 00000001 220261 10814635
01 FC:1806 180.00 CR